

# DAILY DIGEST

Vol. 16, No. 228

November 26,1997

\*\*Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

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The following items were adopted at the November 25, 1997, Commission meeting and released later that day.

## NEWS RELEASES

**\*\*FCC PROPOSES AUCTION PROCEDURES FOR MUTUALLY EXCLUSIVE COMMERCIAL BROADCAST LICENSE APPLICATIONS -- REPORT NO. GN 97-12 -- GENERAL ACTION -- MM DOCKET 97-234, GC DOCKET 92-52, GEN DOCKET 90-264.** The FCC proposed rules to implement its new authority to auction broadcast licenses. Action by the Commission November 25, 1997 by NPRM (FCC 97-397). Adopted: November 25, 1997. News Media Contact: David Fiske (202) 418-0500. Contact: OGC Contacts: John Riffer and Lee Martin at (202) 418-1720; MMB Contacts: Lisa Scanlan at (202) 418-2720 and Jerianne Timmerman at (202) 418-1600.

**\*\*COMMISSION ADOPTS STREAMLINED PROCESS FOR RESOLUTION OF FORMAL COMPLAINTS; REVISED PROCESS WILL PROMOTE COMPETITION BY ENHANCING ENFORCEMENT EFFORTS -- REPORT NO. CC 97-57 -- COMMON CARRIER ACTION -- CC DOCKET 96-238.** The Commission reformed its procedures for reviewing and resolving formal complaints against telecommunications carriers filed pursuant to Section 208 of the Communications Act of 1934, as amended. Action by the Commission November 25, 1997, by R&O (FCC 97-396). Adopted: November 25, 1997. News Media Contact: Rochelle Cohen (202) 418-0253. CCB Contact: Deena Shetler at (202) 418-7296."

**COMMISSION ADOPTS PROCOMPETITIVE MARKET OPENING POLICIES FOR FOREIGN SATELLITES -- REPORT NO. IN. 97-37 -- INTERNATIONAL ACTION -- IB DOCKET 97-111, CC DOCKET 93-23.** The Commission adopted policies that permit non-U.S. licensed satellites to provide services in the United States. The decision will promote competition in the U.S. satellite services market, providing significant benefits for U.S. consumers in the form of lower prices, improved service quality, and innovative service options. Action by the Commission November 25, 1997 by R&O (FCC 97-399). Adopted: November 25, 1997. News Media Contact: Meribeth McCarrick (202) 418-0500. IB Contact: International Bureau Contacts: Fern Jarmulnek at (202) 418-0751, Linda Haller at (202) 418-0760, or Bob Calaff at (202) 418-0420. Internet URL: [https://www.fcc.gov/Bureaus/International/News\\_Releases/1997/nrin7041.html](https://www.fcc.gov/Bureaus/International/News_Releases/1997/nrin7041.html)

**COMMISSION LIBERALIZES FOREIGN PARTICIPATION IN THE U.S. TELECOMMUNICATIONS MARKET -- REPORT NO. IN 97-36 -- INTERNATIONAL ACTION -- IB DOCKET NOS. 97-142 AND 95-22.** The Commission adopted an Order that will significantly increase competition in the U.S. telecommunications market by facilitating entry by foreign service providers and investors. This action will yield substantial benefits for U.S. consumers by reducing prices, providing greater service options, and spurring technological innovation. Action by the Commission on November 25, 1997 by R&O and Order on Recon. (FCC 97-398). Adopted: November 25, 1997. News Media Contact: Meribeth McCarrick (202) 418-0500. IB Contact: International Bureau Contacts: Diane Cornell at (202) 418-1470, Robert McDonald at (202) 418-1476, Adam Krinsky at (202)

418-1099, Doug Klein at (202) 418-0424, Laurie Sherman at (202) 418-0429, or Robert Calaff at (202) 418-0420. Internet URL: [https://www.fcc.gov/Bureaus/International/News\\_Releases/1997/nrin7042.html](https://www.fcc.gov/Bureaus/International/News_Releases/1997/nrin7042.html)

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The following items are dated for and released on November 26, 1997:

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## NEWS RELEASES

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BROADCAST STATION TOTALS AS OF OCTOBER 31, 1997. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/pnmm7236.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/pnmm7236.txt)

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## PUBLIC NOTICES

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Report No: 2239. Released: November 26, 1997. OFFICE OF PUBLIC AFFAIRS REFERENCE OPERATIONS DIVISION PETITIONS FOR RULEMAKING FILED.

Report No: 44126. Released: November 26, 1997. BROADCAST ACTIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Actions/ac971126.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac971126.txt)

Report No: 24126. Released: November 26, 1997. BROADCAST APPLICATIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Applications/ap971126.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap971126.txt)

Released: November 26, 1997. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN PERMIT-BUT-DISCLOSE PROCEEDINGS. Contact: Barbara Lowe at (202) 418-0310.

Report No: N-47-A. Released: November 26, 1997. COMMON CARRIER NETWORK SERVICES APPLICATIONS ACTIONS.

Released: November 26, 1997. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG - NOVEMBER 25. Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/Tariffs/combined/tt112597.pdf](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/Tariffs/combined/tt112597.pdf)

Report No: 3623. Released: November 26, 1997. CABLE SERVICES ACTIONS.

Report No: DS-1790. Released: November 26, 1997. SATELLITE COMMUNICATIONS SERVICES ACTIONS. Internet URL: [https://www.fcc.gov/Bureaus/International/Public\\_Notices/1997/pnin7256.txt](https://www.fcc.gov/Bureaus/International/Public_Notices/1997/pnin7256.txt)

Report No: DS-1789. Released: November 26, 1997. SATELLITE COMMUNICATIONS SERVICES INFORMATION - SATELLITE RADIO APPLICATIONS ACCEPTED FOR FILING. Internet URL: [https://www.fcc.gov/Bureaus/International/Public\\_Notices/1997/pnin7255.txt](https://www.fcc.gov/Bureaus/International/Public_Notices/1997/pnin7255.txt)

Report No: SPB-111. Released: November 26, 1997. SATELLITE POLICY BRANCH INFORMATION: APPLICATIONS ACCEPTED FOR FILING & CLARIFICATION OF KA-BAND EFFECTIVE DATE. Internet URL: [https://www.fcc.gov/Bureaus/International/Public\\_Notices/1997/pnin7261.txt](https://www.fcc.gov/Bureaus/International/Public_Notices/1997/pnin7261.txt)

Report No: D-959-A. Released: November 26, 1997. MASS MEDIA BUREAU MULTIPOINT DISTRIBUTION SERVICE APPLICATIONS ACTIONS. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/MDS\\_Notices/md971126.pdf](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/MDS_Notices/md971126.pdf)

Report No: D-959. Released: November 26, 1997. MASS MEDIA BUREAU MULTIPOINT DISTRIBUTION SERVICE APPLICATIONS ACCEPTED FOR FILING. Internet URL:

<https://www.fcc.gov/Bureaus/Mass Media/Public Notices/MDS Notices/md971126.pdf>

Report No: CWS-98-9. Released: November 26, 1997. WIRELESS TELECOMMUNICATIONS BUREAU COMMERCIAL WIRELESS INFORMATION. Internet URL:

<https://www.fcc.gov/Bureaus/Wireless/Public Notices/1997/pnwl7261.txt>

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## TEXTS

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RCN TELECOM SERVICES OF PENNSYLVANIA, INC. Granted petition for special relief for modification of the television market of Station WTGI-TV, Wilmington, Delaware. Action by Deputy Bureau Chief. Adopted: November 24, 1997. by MO&O. (DA No. 97-2474). CSB Internet URL:

<https://www.fcc.gov/Bureaus/Cable/Orders/1997/da972474.wp>

BUTLER UNIVERSITY. Denied must carry complaint filed against Time Warner Cable, operator of cable television system serving Marion County, Indiana, seeking channel repositioning. Action by Chief, Consumer Protection and Competition Division. Adopted: November 24, 1997. by MO&O. (DA No. 97-2467). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1997/da972467.wp>

TKR CABLE COMPANY. Granted complaint of SKNJ Broadcasting Partnership for must-carry of Station WHSE-TV, Newark, New Jersey. Action by Chief, Consumer Protection and Competition Division. Adopted: November 24, 1997. by MO&O. (DA No. 97-2466). CSB Internet URL:

<https://www.fcc.gov/Bureaus/Cable/Orders/1997/da972466.wp>

TCI OF DECATUR, INC. Denied request by WTZT-LP, Athens, Alabama, for mandatory carriage in Decatur, Alabama by TCI of Decatur, Inc. Action by Chief, Consumer Protection and Competition Division. Adopted: November 24, 1997. by MO&O. (DA No. 97-2475). CSB Internet URL:

<https://www.fcc.gov/Bureaus/Cable/Orders/1997/da972475.wp>

FAMILY STATIONS, INC. Denied must carry complaint filed against Viacom Cable, operator of cable television system serving Colusa and Oroville, California, seeking carriage. Action by Chief, Consumer Protection and Competition Division. Adopted: November 24, 1997. by MO&O. (DA No. 97-2468). CSB Internet URL:

<https://www.fcc.gov/Bureaus/Cable/Orders/1997/da972468.wp>

TCI OF NEW YORK, INC. Granted complaint of SKNJ Broadcasting Partnership for must-carry of Station WHSE-TV, Newark, New Jersey. Action by Chief, Consumer Protection and Competition Division. Adopted: November 24, 1997. by MO&O. (DA No. 97-2465). CSB Internet URL:

<https://www.fcc.gov/Bureaus/Cable/Orders/1997/da972465.wp>

SCRIPPS HOWARD CABLE COMPANY. Denied complaint filed against the rates charged by Scripps Howard for cable programming service tier in the City of Montezuma, Georgia. Action by Chief, Financial Analysis and Compliance Division. Adopted: November 24, 1997. by Order. (DA No. 97-2469). CSB Internet URL:

<https://www.fcc.gov/Bureaus/Cable/Orders/1997/da972469.wp>

COX CABLE ORANGE COUNTY, INC. Dismissed an appeal of a rate order filed by Cox Cable concerning basic cable service rates in the City of Irvine, CA. Action by Chief, Consumer Protection and Competition Division. Adopted: November 20, 1997. by Order. (DA No. 97-2460). CSB Internet URL:

<https://www.fcc.gov/Bureaus/Cable/Orders/1997/da972460.wp>

ERRATUM - COMMUNITY CABLE TV D/B/A PRIME CABLE OF LAS VEGAS. Erratum to DA 97-2411 correcting Community Cable TV d/b/a Prime Cable of Los Angeles to read Community Cable TV d/b/a Prime

Cable of Las Vegas. Action by Chief, Financial Analysis & Compliance Division. Adopted: November 25, 1997. by Erratum. (DA No. 97-2411). CSB Internet URL:

<https://www.fcc.gov/Bureaus/Cable/Orders/1997/da972411.txt>

GLOBALSTAR, LP'S AND IRIDIUM, LLC'S APPLICATIONS TO LAUNCH AND OPERATE SATELLITE SYSTEMS IN THE 2 GHZ FREQUENCY BAND AND MOTOROLA GLOBAL COMMUNICATIONS, INC.'S APPLICATION FOR AUTHORITY TO CONSTRUCT, LAUNCH AND OPERATE THE CELESTRI SATELLITE SYSTEM. Extended the date for filing comments and petitions on the above-referenced applications to December 22, 1997; extended the reply and response dates so that replies and oppositions are due January 12, 1998 and responses are due January 22, 1998. Action by Chief, Satellite and Radiocommunication Division. Adopted: November 25, 1996. by Order. (DA No. 97-2496). IB

HUNTINGTON CUSA SETTLEMENT GROUP, L.C. Dismissed unserved area application of Huntington CUSA Settlement Group, L.C. (Huntington) for the Huntington-Ashland, West Virginia, Kentucky, Ohio MSA Market No. 110A pursuant to Huntington's request; dismissed petition to deny that application filed by West Virginia Cellular Telephone Corp. and approved a settlement agreement between Huntington and Great Seal Cellular Limited Partnership. Action by Chief, Commercial Wireless Division. Adopted: November 26, 1997. by Order. (DA No. 97-2501). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1997/da972501.txt>

CALLING PARTY PAYS SERVICE OPTION IN THE COMMERCIAL MOBILE RADIO SERVICES. Granted, to the extent indicated, requests of Rural Telecommunications Group and Paging Network, Inc., to extend comment and reply comment dates until December 16, 1997 and January 16, 1998, respectively in this proceeding; comments due December 16, 1997 and replies January 16, 1998. Dkt No.: 97-207. Action by Bureau Chief. Adopted: November 25, 1997. by Order. (DA No. 97-2476). WTB

**ADDENDA: The following items, released November 25, 1997, did not appear in Digest No. 227:**

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**PUBLIC NOTICES**  
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Report No: CCB-CPD-61. Released: November 25, 1997. PROTESTED TARIFF TRANSMITTALS ACTIONS TAKEN. (DA No. 97-2492).

Report No: CCB/CPD-60. Released: November 25, 1997. PROTESTED TARIFF TRANSMITTALS ACTIONS TAKEN. (DA No. 97-2473). Contact: Judith A. Nitsche at (202) 418-1540.

Released: November 25, 1997. NOTICE OF PROHIBITED PRESENTATION IN GC. DOCKET NO. 92-52 AND GEN. DOCKET NO. 90-264 RELATING TO INTER ALIA REEXAMINATION/REFORMATION OF THE COMPARATIVE BROADCAST HEARING PROCESS.

Released: November 25, 1997. COMMON CARRIER BUREAU IMPLEMENTS ELECTRONIC TARIFF FILING SYSTEM. (DA No. 97-2491). Contact: Todd Mitchell, Competitive Pricing Division at (202) 418-1520.

Released: November 25, 1997. EX PARTE PROCEDURES ESTABLISHED FOR FORMAL COMPLAINT FILED BY AT&T CORPORATION AGAINST BELL ATLANTIC CORPORATION (FILE NO. E-98-05). (DA No. 97-2484). Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/1997/da972484.wp](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1997/da972484.wp)

Released: November 25, 1997. THE COMMON CARRIER BUREAU'S CONSUMER PROTECTION BRANCH LAUNCHES PAPERLESS ENVIRONMENT. (DA No. 97-2458). Contact: Common Carrier Bureau Consumer Hotline at (202) 632-7553, Enforcement Division Contact: Nancy D. Plon at (202) 418-2800, Consumer Protection Branch Contact: Sharon D. Lee at (202) 418-2800. Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Public\\_Notices/1997/da972458.txt](https://www.fcc.gov/Bureaus/Common_Carrier/Public_Notices/1997/da972458.txt)

Report No: 1964. Released: November 25, 1997. WIRELESS TELECOMMUNICATIONS BUREAU WEEKLY RECEIPTS AND DISPOSALS.

Released: November 25, 1997. FCC ANNOUNCES SPECTRUM AUCTION SCHEDULE FOR 1998. (DA No. 97-2497). Contact: LaVonnia Connelly, Ruby Hough, or Lisa Hartigan, Auctions and Industry Analysis Division at (202) 418-0660. Internet URL: [https://www.fcc.gov/Bureaus/Wireless/Public\\_Notices/1997/da972497.txt](https://www.fcc.gov/Bureaus/Wireless/Public_Notices/1997/da972497.txt)

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## TEXTS

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\*\*AMENDMENT OF RULES GOVERNING PROCEDURES TO BE FOLLOWED WHEN FORMAL COMPLAINTS ARE FILED AGAINST COMMON CARRIERS. Revised procedures for reviewing and resolving formal complaints against telecommunications carriers filed pursuant to Section 208 of the Communications Act of 1934, as amended. Dkt No.: CC- 96-238. Action by the Commission. Adopted: November 25, 1997. by R&O. (FCC No. 97-396). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/1997/fcc97396.wp](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1997/fcc97396.wp)

KKAG(TV), PORTERVILLE, CA AND KO9XA, FRESNO, CA. Granted applications for the assignment of construction permit of KKAG(TV) and KO9XA from the Kralowec Children's Family Trust to Paxson Fresno License, Inc; denied Petition to Deny, Petition to Revoke Construction Permit and Petition for Reconsideration of the grant of pro forma assignment and modification applications, filed by Pappas Telecasting Incorporated. Action by Chief, Video Services Division. Adopted: November 25, 1997. by MO&O. (DA No. 97-2470). MMB

APPLICATIONS OF HIGH PLAINS WIRELESS, L.P. Granted High Plains' applications for broadband Personal Communications Services licenses in the D and F blocks; denied Mercury PCS II, LLC's petition to deny High Plains Wireless L.P.'s applications for broadband Personal Communications Services licenses in the D and F blocks. Action by Bureau Chief. Adopted: November 25, 1997. by MO&O. (DA No. 97-2451). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1997/da972451.txt>